



Appeal Decision

Site visit made on 11 October 2022

by H Wilkinson BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 November 2022

Appeal Ref: APP/Q5300/D/21/3289956

260 Carterhatch Lane, Enfield, Middlesex, London EN1 4BG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Enrico Monreale against the decision of London Borough of Enfield.
 - The application Ref 21/03582/HOU, dated 14 October 2021, was refused by notice dated 13 December 2021.
 - The development proposed is the construction of hardstanding with car turntable in connection with vehicular access
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Decision

1. The appeal is allowed and planning permission is granted for the construction of hardstanding with car turntable in connection with vehicular access in accordance with the terms of the application, Ref 21/03582/HOU, dated 14 October 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following plans;
 - Groundwork Drawing Edition A
 - Garden Plan & Cross Section
 - Proposed Block Plan
 - Untitled Plan illustrating the extent and location of the proposed drop kerb and turntable.
 - 3) The turntable shall be installed and operating in accordance with the manufacturer's details (Spin-It Car Turntables – Parking Issues Reliability) before the site frontage is first brought into use for car parking. Thereafter, the turntable shall be maintained in accordance with the manufacturer's details. The frontage shall only be used for car parking when the turntable is fully operational.

Procedural Matters

2. In the interests of clarity and conciseness, I have taken the description of development from the Council's decision notice.

3. A copy of Policy DMD 45 of the Development Management Document (DMD) 2014 and Revised Technical Standards for Footway Crossovers (excluding Heavy Duty Crossovers) 2013 was omitted from the Council's evidence. Despite repeated requests, the Council has failed to provide me with a copy of the aforementioned policy and technical guidance. Therefore, in determining this appeal I have obtained copies from the Council's website. As these are publicly available and referred to within the Council's reason, I am satisfied that no party has been prejudiced.

Main Issue

4. The main issue is the effect of the proposed development on highway safety, including the free flow of traffic.

Reasons

5. The appeal property comprises an end of terrace which fronts onto Carterhatch Lane and features a small, paved area to the front of the property, enclosed by a low-lying brick wall. Whilst a number of properties within the row benefit from off-road parking, parking for the occupiers of the appeal property is along the road.
6. The appellant says that the proposed turntable would be installed, maintained and serviced by the manufacturer and would permit a large SUV type vehicle to enter and leave the site in a forward gear. The Council's main concern appears to be that in the case of mechanical failure, a car would need to reverse onto the highway. However, the evidence before me indicates that the turntable would feature a manual override and therefore in the unlikely event of an electrical or mechanical fault, a vehicle would still be able to leave the site in a forward gear, negating the need for a reverse manoeuvre onto Carterhatch Lane. Taking into account the manual safeguard, I am satisfied that the proposed development would not adversely affect highway safety.
7. Although it is indicated by the Council that turntables are not generally supported, no substantive evidence has been provided to justify this. DMD Policy 45 recognises that pressure for on-street parking will arise where off-street provision is low whilst the text supporting Policy DMD 46 indicates that hardstanding areas in front gardens should be of a sufficient size to enable vehicles to enter and leave the site in a forward gear. My attention has not been drawn to any wording within the relevant policies and technical guidance which precludes the use of turntables in such situations.
8. Accordingly, I find that the proposed development would not adversely affect highway safety or the free flow of traffic. The proposal therefore accords with Policies D8, T1 and T2 of the London Plan 2021, Policies 25 and 30 of the Enfield Plan Core Strategy 2010 and DMD Policies 45 and 46. Collectively and amongst other aspects, these policies seek to ensure that there is no adverse impact on road safety or the free flow of traffic. I also find the proposal to be consistent with the Revised Technical Standards for Footway Crossovers (excluding Heavy Duty Crossovers) 2013 which seeks to ensure safe access to and egress from premises together with the passage of vehicular traffic on the highway.

Conditions

9. I have had regard to the various planning conditions that have been suggested by the Council and have considered them against the tests in the Framework and the advice in the Planning Practice Guidance. I have made such amendments as necessary to comply with those documents and for clarity and consistency.
10. In addition to the standard time limit condition, and in the interests of certainty, I have imposed a condition requiring that the development is carried out in accordance with the approved plans. In the interests of highway safety, a condition relating to the operation and maintenance of the turntable is necessary to ensure that the frontage is only used for parking when the turntable is operational.

Conclusion

11. For the reasons outlined above, having regard to the development plan as a whole and all other relevant material considerations, the appeal is allowed.

H Wilkinson

INSPECTOR